

Message Text

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INRE-00 /109 W

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O R 081711Z JUN 77
FM AMEMBASSY VIENNA
TO SECSTATE WASHDC IMMEDIATE 2026
INFO AMEMBASSY BUENOS AIRES
AMEMBASSY BONN
AMEMBASSY OTTAWA
USERDA HQ WASHDC IMMEDIATE
USERDA HQ GERMANTOWN IMMEDIATE

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USIAEA

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E.O. 11652: N/A
TAGS: AORG, OCON, IAEA, TECH, AR, GW, CA
SUBJECT: IAEA BOARD OF GOVERNORS--REQUEST FOR INSTRUCTIONS--
AGENDA ITEM 9(B)

1. MISSION HAS BEEN INFORMED THAT IAEA/ARGENTINA
SAFEGUARDS AGREEMENT RELATING TO ARGENTINA/CANADA
AGREEMENT FOR COOPERATION OF JANUARY 30, 1976 AND
IAEA/ARGENTINA SAFEGUARDS AGREEMENT RELATING TO FRG-
SUPPLY OF FUEL FABRICATION EQUIPMENT AND TECHNOLOGICAL
INFORMATION WILL BOTH BE SUBMITTED TO BOARD OF GOVERNORS NEXT
WEEK FOR APPROVAL. BG DOCUMENTS NOT RPT NOT EXPECTED TO BE ISSUED FOR
ANOTHER
COUPLE OF DAYS, BUT MISSION HAS OBTAINED ADVANCE COPY OF
TEXTS OF BOTH AGREEMENTS, WHICH FOLLOW BELOW.
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MISSION HAS NOT RPT NOT HAD OPPORTUNITY TO
EXAMINE TEXTS, BUT ON ASSUMPTION THEY CONTAIN ESSENTIALLY
STANDARD PROVISIONS, AND SUBJECT TO COMMENTS FOLLOWING
OUR STUDY OF TEXTS, MISSION RECOMMENDS U.S. DEL BE
AUTHORIZED TO SUPPORT APPROVAL OF THESE AGREEMENTS.
BG SESSION OPENS TUESDAY, JUNE 14. PLEASE ADVISE.

2.DRAFT:

QUOTE:

AGREEMENT BETWEEN THE GOVERNMENT OF THE ARGENTINE REPUBLIC AND THE INTERNATIONAL ATOMIC ENERGY AGENCY FOR THE APPLICATION OF SAFEGUARDS IN CONNECTION WITH THE AGREEMENT BETWEEN THE GOVERNMENT OF THE ARGENTINE REPUBLIC AND THE GOVERNMENT OF CANADA FOR CO-OPERATION IN THE DEVELOPMENT AND APPLICATION OF ATOMIC ENERGY FOR PEACEFUL PURPOSES

WHEREAS THE GOVERNMENT OF THE ARGENTINE REPUBLIC AND THE GOVERNMENT OF CANADA AND PERSONS UNDER THERE RESPECTIVE JURISDICTIONS HAVE MADE AND MAY MAKE ARRANGEMENTS FOR THE TRANSFER OF NUCLEAR MATERIAL, MATERIAL, EQUIPMENT, FACILITIES AND INFORMATION FROM CANADA TO THE ARGENTINE REPUBLIC PURSUANT TO THEIR AGREEMENT FOR CO-OPERATION IN THE DEVELOPMENT AND APPLICATION OF ATOMIC ENERGY FOR PEACEFUL PURPOSES OF 30 JANUARY 1976 (HEREINAFTER REFERRED TO AS "THE CO-OPERATION AGREEMENT");

WHEREAS THE GOVERNMENT OF CANADA AND THE GOVERNMENT OF THE ARGENTINE REPUBLIC HAVE AGREED THAT NUCLEAR MATERIAL, MATERIAL,

EQUIPMENT, FACILITIES AND INFORMATION TRANSFERRED FROM CANADA TO THE ARGENTINE REPUBLIC SHALL BE USED ONLY FOR THE DEVELOPMENT AND APPLICATION OF ATOMIC ENERGY FOR PEACEFUL PURPOSES;

WHEREAS THE INTERNATIONAL ATOMIC ENERGY AGENCY (HEREINAFTER REFERRED TO AS "THE AGENCY") IS AUTHORIZED BY ITS STATUTE TO UNCLASSIFIED

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APPLY SAFEGUARDS, AT THEREQUEST OF THE PARTIES, TO ANY BILATERAL OR MULTILATERAL ARRANGEMENT, OR AT THE REQUEST OF A STATE, TO ANY OF THAT STATE'S ACTIVITIES IN THE FIELD OF ATOMIC ENERGY;

WHEAEAS THE GOVERNMENT OF THE ARGENTINE REPUBLIC HAS REQUESTED THE AGENCY TO APPLY SAFEGURADS TO NUCLEAR MATERIAL, MATERIAL, EQUIPMENT AND FACILITIES TRANSFERRED FROM CANADA TO THE ARGENTINE RUPUBLIC, TO NUCLEAR MATERIAL, MATERIAL, EQUIPMENT AND FACILITIES PRODUCED, PROCESSED OR USED THEREBY OR THEREWITH OR WITH THE USE OF INFORMATION PROVIDED FROM CANADA TO THE ARGENTINE REPUBLIC AND TO ALL SUBSEQUENTGENERATIONS OF SPECIAL FISSIONABLE MATERIAL PRODUCED BY THE USE OF ANY SUCH ITEM;

WHEREAS THE BOARD OF GOVERNORS OF THE AGENCY (HEREINAFTER REFERRED TO AS "THE BOARD") HAS ACCEDED TO THAT REQUEST ON.....; NOW THEREFORE, THE GOVERNMENT OF THE ARGENTINE REPUBLIC AND THE AGENCY HAVE AGREED AS FOLLOWS:

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FM AMEMBASSY VIENNA

TO SECSTATE WASHDC IMMEDIATE 2027

INFO AMEMBASSY AIRES

AMEMBASSY BONN

AMEMBASSY OTTAWA

USERDA HQ WASHDC IMMEDIATE

EHEGGTN/USERDA HQ GERMANTOWN IMMEDIATE

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SECTION 1. FOR THE PRUPOSES OF THIS AGREEMENT:

(A) "EQUIPMENT" SHALL MEAN ANY EQUIPMENT WHICH IS SPECIALLY DESIGNED OR PREPARED FOR THE PROCESSING, USE OR PRODUCTION OF NUCLEAR MATERIAL OR MATERIAL. THE TERM SHALL INCLUDE ALL ITEMS LISTED IN THE APPENDIX TO THIS AGREEMENT AS WELL AS ANY MAJOR COMPONENTS THEREOF;

(B) "FACILITY" SHALL MEAN:

(I) APRINCIPAL NUCLEAR FACILITY AS DEFINED IN PARAGRAPH 78 OF THE SAFEGUARDS DOCUMENT AS WELL AS A CRITICAL FACILITY OR A SEPARATE STORAGE INSTALLATION;

(II) A PLANT FOR THE PRODUCTION OF HEAVY WATER; OR

(III) ANY LOCATION WHERE NUCLEAR MATERIAL IN AMOUNTS GREATER THAN ONE EFFECTIVE KILOGRAM IS CUSTOMARILY USED;

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(C) "INFORMATION" (EXCEPT IN SECTIONS 4,7(C) AND 18 OF THIS AGREEMENT) SHALL MEAN INFORMATION TRANSFERRED FOR THE GOVERNMENT OF CANADA TO THE GOVERNMENT OF THE ARGENTINE REPUBLIC UNDER THE COOPERATION AGREEMENT IN ANY FORM OR MANNER IN WHICH SUCH INFORMATION CAN BE TRANSFERRED, INCLUDING BUT NOT LIMITED TO TECHNICAL DRAWINGS, PHOTOGRAPHIC NEGATIVES AND PRINTS, RECORDINGS, DESIGN DATA AND TECHNICAL AND OPERATING AND MAINTENANCE MAUALS, THAT CAN BE USED IN THE DESIGN, PRODUCTION, OPERATION OR TESTING OF EQUIPMENT, FACILITIES, NUCLEAR MATERIAL OR MATERIAL, EXCEPT INFORMATION FREELY AVAILABLE TO THE PUBLIC; THE TERM SHALL INCLUDE ANY INFORMATION OBTAINED FROM A FACILITY OR EQUIPMENT TRANSFERRED UNDER THE CO-OPERATION AGREEMENT;

(D) "INSPECTORS DOCUMENT" SHALL MEAN THE ANNEX TO AGNECY DOCUMENT GC(V) /INF/39;

(E) "MATERIAL" MEANS ANY RADIOACTIVE SUBSTANCE, AND ANY OTHER SUBSTANCE (OTHER THAN NUCLEAR MATERIAL) OF SPECIAL APPLICABILITY TO OR IMPORTANCE IN ATOMIC ENERGY ACTIVITIES;

(F) "NUCLEAR MATERIAL" SHALL MEAN ANY SOURCE MATERIAL OR SPECIAL FISSIONABLE MATERIAL AS DEFINED IN ARTICLE XX OF THE STATUTE OF THE AGENCY;

(G) "PRODUCED, PROCESSED OR USED" SHALL MEAN ANY UTILIZATION OR ANY ALTERATION OF THE PHYSICAL OR CHEMICAL FORM OR COMPOSITION INCLUDING ANY CHANGE OF THE ISOTOPIC COMPOSITION, OF THE NUCLEAR MATERIAL OR MATERIAL INVOLVED;

(H) "SAFEGUARDS DOCUMENT" SHALL MEAN AGENCY DOCUMENT INFCIRC/66/REV. 2.

UNDERTANKINGS BY THE GOVERNMENT OF THE ARGENTINE REPUBLIC

SECTION2. THE GOVERNMENT OF THE ARGENTINE REPUBLIC UNDERTAKES
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THAT NONE OF THE FOLLOWING ITMES SHALL BE USED FOR THE MANUFACTURE OF ANY NUCLEAR WEAPON OR TO FURTHER ANY OTHER MILITARY PURPOSE OR FOR THE MANUFACTURE OF ANY OTHER NUCLEAR EXPLOSIVE DEVICE:

(A) NUCLEAR MATERAL, MATERIAL, ANY EQUIPMENT OR ANY FACILITY TRANSFERRED FROM CANADA TO THE ARGENTINE REPUBLIC UNDER THE CO-OPERATION AGREEMENT;

(B) ANY EQUIPMENT OR FACILITY WHICH IS DESIGNED, CONSTRUCTED OR OPERATED IN THE ARGENTINE REPUBLIC ON THE BASIS OF OR BY THE USE OF INFORMATION;

(C) NUCLEAR MATERIAL, INCLUDING SUBSEQUENT GENERATIONS OF SPECIAL FISSIONABLE MATERIAL AND ANY MATERIAL, WHICH HAS BEEN PRODUCED, PROCESSED OR USED ON THE BASIS OF OR BY THE USE OF ANY ITEM REFERRED TO IN THIS SECTION OR ANY INFORMATION;

(D) ANH OTHER ITEM REQUIRED TO BE LISTED IN THE INVENTORY.

SECTION 3. THE GOVERNMENT OF THE ARGENTINE REPUBLIC UNDERTAKES TO ACCEPT AGENCY SAFEGUARDS AS PROVIDED FOR THIS AGREEMENT ON THE ITEMS REFERRED TO IN SECTION 2.

SECTION 4. THE GOVERNMENT OF THE ARGENTINE REPUBLIC UNDERTAKES TO FACILITATE THE APPLICATION OF SAFEGUARDS BY THE AGENCY AND TO CO-OPERATE WITH THE AGENCY TO THAT END. THE GOVERNMENT OF THE ARGENTINE REPUBLIC AND AGENCY SHALL CONSULT ANNUALLY OR AT ANY OTHER TIME AT THE REQUEST OF THE GOVERNMENT OF THE ARGENTINE REPUBLIC OR THE AGENCY TO ENSURE THE EFFECTIVE IMPLEMENTATION OF THIS AGREEMENT AND FOR THIS PURPOSE THEY MAY PROVIDE EACH OTHER SUCH INFORMATION AS MAY BE REQUIRED. THE GOVERNMENT OF CANADA SHALL BE INVITED TO PARTICIPATE IN THESE CONSULTATIONS.

UNDERTAKING BY THE AGENCY
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SECTION 5. THE AGENCY UNDERTAKES TO APPLY SAFEGUARDS IN ACCORDANCE WITH TERMS OF THIS AGREEMENT ON NUCLEAR MATERIAL, MATERIAL, EQUIPMENT AND FACILITIES REFERRED TO IN SECTION 2 TO ENSURE, SO FAR AS IT IS ABLE, THAT NO SUCH ITEM IS USED FOR THE MANUFACTURE OF ANY NUCLEAR WEAPON OR TO FURTHER ANY OTHER MILITARY PURPOSE OR FOR THE MANUFACTURE OF ANY OTHER NUCLEAR EXPLOSIVE DEVICE.

SAFEGUARDS PRINCIPLES

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SECTION 6. IN APPLYING SAFEGUARDS, THE AGENCY SHALL OBSERVE
THE PRINCIPLES SET FORTH IN PARAGRAPHS 9 TO 14 OF THE SAFEGUARDS
DOCUMENT.

SAFEGUARDS FPROCEDURES

SECTION 7.

(A) THE SAFEGURADS PROCEDURES TO BE APPLIED BY THE AGENCY ARE
THOSE SPECIFIED IN THE SAFEGUARDS DOCUMENT, AS WELL AS SUCH
ADDITIONAL PROCEDURES RESULTINGFROM TECHNOLOGICAL DEVELOP-
MENTS AS MAY BE AGREED UPON BETWEEN THE AGENCY AND THE
GOVERNMENT OF THE ARGENTINE REPUBLIC.

(B) THE AGENCY SHALL MAKE SUBSIDIARY ARRANGEMENTS WITH THE
GOVERNMENT OF THE ARGENTINE REPUBLIC CONCERNING THE
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IMPLEMENTATION OF SAFEGURRDS PROCEDURES WHICH SHALL
INCLUDE SUCH CONTAINMENT AND SURVEILLANCE MEASURES AS
ARE REQUIRED FOR THE EFFECTIVE APPEICATION OF SAFEGUARDS,
AS WELL AS ANY PROCEDURES NECESSARY FOR MAINTAINING AND
VERIFYING THE CORRECTNESS OF THE INVENTORY WITH RESPECT TO
FACILITIES, EQUIPMENT, NUCLEAR MATERIAL AND MATERIAL.
THE GOVERNMENT OF THE ARGNETINE REPUBLIC AND THE AGNECY
SHALL MAKE EVERY EFFORT TO ACHIEVE THE ENTRY INTO FORCE
OF THE SUBSIDIARY ARRANGEMENTS AT AS EARLY A DATE AS POSSIBLE
WITH A VIEW TO ENABLING THE AGENCY TO DISCHARGE ITS
RESPONSIBILITIES UNDER THIS AGREEMENT.
(C) THE AGENCY SHALL HAVE THE RIGHT TO REQUEST THE
INFORMATION REFERRED TO IN PARAGRAPH 41 OF THE

SAFEGUARDS DOCUMENT AND TO MAKE THE INSPECTIONS
REFERRED TO IN PARAGRAPH 51 THEREOF.

ESTABLISHMENT AND MAINTANCE OF THE INVENTORY AND THE LIST

SECTION 8. THE AGENCY SHALL ESTABLISH AND MAINTAIN AN
INVENTORY IN ACCORDANCE WITH SECTION 9 AND A LIST IN ACCORDANCE
WITH SECTION 10 OF THIS AGREEMENT. THE AGENCY SHALL SEND
COPIES OF THE INVENTORY AND THE LIST TO THE GOVERNMENT OF THE
ARGENTINE REPUBLIC AND TO THE GOVERNMENT OF CANADA EVERY
TWELVE MONTHS. THE AGENCY SHALL SEND COPIES OF THE INVENTORY
AND THE LIST TO BOTH GOVERNMENTS AT ANY OTHER TIME WITHIN TWO
WEEKS OF RECEIVING A REQUEST FR SUCH A COPY EITHER FROM THE GOVERN-
MENT OF THE ARGENTINE REPUBLIC OR THE GOVERNMENT OF CANADA

SECTION 9. THE FOLLOWING ITEMS SHALL BE LISTED IN THE
INVENTORY:

(A) MAIN PART:

(I) NUCLEAR MATERIAL, MATERIAL, EQUIPMENT AND ANY
FACILITY TRANSFERRED FROM CANADA TO THE ARGENTINE
REPUBLIC UNDER THE CO-OPERATION AGREEMENT;
(II) ANY EQUIPMENT OR FACILITY WHICH IS DESIGNED,
CONSTRUCTED OR OPERATED IN THE ARGENTINE REPUBLIC
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ON THE BASIS OF OR BY THE USE OF INFORMATION;
(III) MATERIAL WHICH HAS BEEN PRODUCED, PROCESSED OR USED
IN THE ARGENTINE REPUBLIC ON THE BASIS OF OR BY THE
USE OF ANY FACILITY, EQUIPMENT OR INFORMATION
TRANSFERRED FROM CANADA UNDER THE CO-OPERATION AGREEMENT;
(IV) NUCLEAR MATERIAL, INCLUDING SUBSEQUENT GENERATIONS
OF SPECIAL FISSIONABLE MATERIAL, WHICH HAS BEEN
PRODUCED, PROCESSED OR USED IN THE ARGENTINE REPUBLIC ON THE
BASIS OR BY THE USE OF ANY ITEM REFERRED TO IN THE
INVENTORY OR ANY INFORMATION.

(B) SUBSIDIARY PART:

(I) ANY FACILITY WHILE CONTAINING EQUIPMENT REFERRED
TO IN THE MAIN PART OF THE INVENTORY;
(II) ANY FACILITY AND EQUIPMENT WHILE STORING, USING
OR PROCESSING ANY NUCLEAR MATERIAL OR ANY MATERIAL
REFERRED TO IN THE MAIN PART OR THE INVENTORY.

(C) INACTIVE PART:

ANY NUCLEAR MATERIAL WHICH IS NOT LISTED IN THE MAIN PART
OF THE INVENTORY BECAUSE:

(I) IT HAS BEEN EXEMPTED FROM SAFEGUARDS PCURSUANT TO
SECTION 17 OR
(II) SAFEGUARDS THERON HAVE BEEN SUSPENDED PURSUANT TO
SECTION 18.

SECTION 10. THE AGENCY SHALL MAINTIAN A LIST CONTAINAING A

DESCRIPTION OF SUCH INFORMATION AS HAS BEEN NOTIFIED TO IT UNDER
SECTION 12(F)OR (G). UPON DETERMINATION BY THE AGENCY AND THE
GOVERNMENT OFFERS ARGENTINE REPUBLIC
THAT ANY INFORMATION IS NO LONGER SIGNIFICANT FOR ANY NUCLEAR ACTIVI
TY
RELEVANT FROM THE POINT OF VIEW OF SAFEGUARDS, APPROPRIATE DELETIONS
SHALL BE MADE FROM THE LIST.

SECTION 11. WITHOUT RESTRICTING THE GENERALITY OF SECTION 9(A)
(II), ANY FACILITY OR EQUIPMENT FOR THE SEPARATION OR THE ISOTOPES OR

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URANIUM OR THE PROCESSING OF IRRADIATED NUCLEAR MATERIAL OR THE
PRODUCTION OF HAVY WATER SHALL BE DEEMED TO BE A FACILITY OR
EQUIPMENT REFERRED TO IN SECTION 9 (A) (II) IF:
(A) THE CHEMICAL OR PHYSICAL OPERATING PRECESS OF THE FACILITY

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OR EQUIPMENT IS THE SAME OR ESSENTIALLY THE SAME PROCESS AS THE WHICH CHARACTERIZES A FACILITY OR EQUIPMENT TRANSFERRED FROM CANADA UNDER THE CO-OPERATION AGREEMENT OR AS THAT WHICH IS CONTAINED IN INFORMATION;

(B) THE FACILITY OR EQUIPMENT IS DESIGNED, CONSTRUCTED, COMMENCES OPERATION OR IS FIRST USED WITHIN 20 YEARS FROM THE RECEIPT OF THE NOTIFICATION REFERRED TO IN (C) BELOW;AND

(C) BEFORE THE TRANSFER OF ANY FACILITY, EQUIPMENT OR INFORMATION RELATING TO THE SEPARATION OF THE ISOTOPES OF URANIUM OR THE PROCESSING OF IRRADIATED NUCLEAR MATERIAL OR THE PRODUCTION OF HEAVY WATER, THE GOVERNMENT OF CANADA HAS WITH THE CONCURRENCE OF THE GOVERNMENT OF THE ARGENTINE REPUBLIC, IDENTIFIED IN WRITING THE PHYSICAL OR CHEMICAL OPERATING PROCESS WHICH CHARACTERIZED

THE FACILITY OR EQUIPMENT OR IS CONTAINED IN THE INFORMATION
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TO BE TRANSFERRED AND HAS NOTIFIED THE AGENCY OF THIS IDENTIFICATION.

SECTION 12.

(A)(I) THE GOVERNMENT OF THE ARGENTINE REPUBLIC SHALL AFTER CONSULTATION WITH THE GOVERNMENT OF CANADA NOTIFY THE AGENCY OF ITEMS REQUIRED TO BE LISTED IN THE INVENTORY AS OF THE DATE OF THE ENTRY INTO FORCE OF THIS AGREEMENT, WITHIN TWO WEEKS THEREOF.

(II) WITH RESPECT TO ANY TRANSFER OF FACILITIES EQUIPMENT, NUCLEAR MATERIAL OR MATERIAL FROM CANADA TO THE ARGENTINE REPUBLIC AFTER THE ENTRY INTO FORCE OF THIS AGREEMENT, THE GOVERNMENT OF CANADA MAY NOTIFY THE AGENCY AND THE GOVERNMENT OF THE ARGENTINE REPUBLIC OF SUCH TRANSFER AND THE MODE OF TRANSPORT, AT THE TIME OF SHIPMENT. THE GOVERNMENT OF THE ARGENTINE REPUBLIC SHALL NOTIFY THE AGENCY AND THE

GOVERNMENT OF CANADA WITHIN 30 DAYS OF RECEIPT OF THE ITEM IN QUESTION; UPON RECEIPT OF THE LATTER NOTIFICATION THE AGENCY SHALL LIST THE ITEM IN QUESTION IN THE INVENTORY. IN THE CASE OF TRANSFERS OF SOURCE MATERIAL IN QUANTITIES NOT EXCEEDING ONE METRIC TON, THE AGENCY MAY BE NOTIFIED AT QUARTERLY INTERVALS.
(B) THE GOVERNMENT OF THE ARGENTINE REPUBLIC SHALL NOTIFY THE AGENCY, WITHIN THE TIME LIMITS PRESCRIBED IN THE SUBSIDIARY ARRANGEMENTS REFERRED TO IN SECTION 7 (B), OF ANY EQUIPMENT OR FACILITY WHICH IS REQUIRED TO BE LISTED IN THE MAIN PART OF THE INVENTORY IN ACCORDANCE WITH SECTION 9 (A) (II).
(C) THE GOVERNMENT OF CANADA AND THE GOVERNMENT OF THE ARGENTINE REPUBLIC MAY JOINTLY NOTIFY THE AGENCY OF ANY FACILITY OR EQUIPMENT WHICH THEY CONSIDER IS REQUIRED TO BE LISTED IN THE MAIN PART OF THE INVENTORY IN ACCORDANCE WITH

SECTION 9(A) (II). IF NO AGREEMENT CAN BE REACHED ON SUCH JOINT NOTIFICATION, EITHER THE GOVERNMENT OF CANADA OR THE GOVERNMENT OF THE ARGENTINE REPUBLIC MAY REFER THE MATTER TO THE AGENCY FOR DECISION.

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(D) THE GOVERNMENT OF THE ARGENTINE REPUBLIC SHALL NOTIFY THE AGENCY BY MEANS OF REPORTS IN ACCORDANCE WITH THE SAFEGUARDS DOCUMENT AND THE SUBSIDIARY ARRANGEMENTS REFERRED TO IN SECTION 7 (B) OF ANY NUCLEAR MATERIAL OR MATERIAL PRODUCED, PROCESSED OR USED AND WHICH IS REQUIRED TO BE LISTED IN SUB-PART (III) OR (IV) OF THE MAIN PART OF THE INVENTORY.

(E) THE GOVERNMENT OF THE ARGENTINE REPUBLIC SHALL NOTIFY THE AGENCY OF ANY FACILITY REQUIRED TO BE LISTED IN THE SUBSIDIARY PART OF THE INVENTORY.

(F) THE GOVERNMENT OF THE ARGENTINE REPUBLIC SHALL NOTIFY THE AGENCY OF ANY INFORMATION RECEIVED.

(G) THE GOVERNMENT OF CANADA AND THE GOVERNMENT OF THE ARGENTINE REPUBLIC MAY JOINTLY NOTIFY THE AGENCY OF ANY INFORMATION TRANSFERRED OR TO BE TRANSFERRED PURSUANT TO THE CO-OPERATION AGREEMENT.

SECTION 13. ANY NOTIFICATION MADE PURSUANT TO SECTION 12 OR 15 SHALL SPECIFY, INTER ALIA, TO THE EXTENT RELEVANT, THE NUCLEAR AND CHEMICAL COMPOSITION, PHYSICAL FORM AND THE QUANTITY OF THE NUCLEAR MATERIAL OR MATERIAL, OR THE TYPE AND CAPACITY OF ANY EQUIPMENT, FACILITY OR MAJOR COMPONENT OF ANY EQUIPMENT OR FACILITY, THE DATE OF SHIPMENT, THE DATE OF RECEIPT, THE IDENTITY OF THE CONSIGNOR AND CONSIGNEE, AND ANY OTHER RELEVANT INFORMATION.

SECTION 14. THE AGENCY SHALL, WITHIN THIRTY DAYS OF RECEIVING A NOTIFICATION PURSUANT TO SECTION 12(A), (B) OR (C), INFORM THE GOVERNMENT OF THE ARGENTINE REPUBLIC AND THE GOVERNMENT OF CANADA THAT THE ITEMS COVERED BY THE NOTIFICATION ARE LISTED IN THE MAIN PART OF THE INVENTORY.

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FM AMEMBASSY VIENNA

TO SCSTATE WASHDC IMMEDIATE 2030

INFO AMEMBASSY RUENOS AIRES

AMEMBASSY BONN

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USERDA HQ WASHDC IMMEDIATE

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TRANSFERS

SECTION 15.

(A) THE GOVERNMENT OF THE ARGENTINE REPUBLIC SHALL NOTIFY THE AGENCY AND THE GOVERNMENT OF CANADA OF ANY INTENDED TRANSFER TO OR CONSTRUCTION OUTSIDE THE ARGENTINE REPUBLIC OR CANADA OF NUCLEAR MATERIAL, MATERIAL, EQUIPMENT OR ANY FACILITY WHICH IS OR WOULD, EXCEPT FOR THE PROPOSED TRANSFER OR CONSTRUCTION, BE REQUIRED TO BE LISTED IN THE MAIN PART OF THE INVENTORY. SUCH NUCLEAR MATERIAL, MATERIAL, EQUIPMENT OR FACILITY SHALL NOT BE SO TRANSFERRED OR CONSTRUCTED UNTIL THE AGENCY HAS INFORMED THE GOVERNMENT OF THE ARGENTINE REPUBLIC AND THE GOVERNMENT OF CANADA THAT IT HAS SATISFIED ITSELF THAT AGENCY SAFEGUARDS WILL APPLY WITH RESPECT TO SUCH NUCLEAR MATERIAL, MATERIAL, EQUIPMENT OR FACILITY.

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(B) INFORMATION SHALL NOT BE TRANSFERRED OR OTHERWISE BE MADE AVAILABLE TO A STATE OTHER THAN CANADA UNTIL THE AGENCY HAS INFORMED THE GOVERNMENT OF THE ARGENTINE REPUBLIC AND THE GOVERNMENT OF CANADA THAT IT HAS SATISFIED ITSELF THAT AGENCY SAFEGUARDS WILL APPLY IN CONNECTION WITH THE USE OF SUCH INFORMATION.

(C) THE AGENCY SHALL INFORM THE GOVERNMENT OF THE ARGENTINE REPUBLIC AND THE GOVERNMENT OF CANADA, WITHIN A PERIOD TO BE SPECIFIED IN THE SUBSIDIARY ARRANGEMENTS, WHETHER IT IS SATISFIED THAT AGENCY SAFEGUARDS WILL APPLY WITH RESPECT TO THE NUCLEAR MATERIAL, MATERIAL, EQUIPMENT OR FACILITY OR IN CONNECTION WITH THE USE OF THE INFORMATION IN QUESTION. IN THE EVENT THAT THE AGENCY IS NOT SATISFIED IN THIS REGARD, IT SHALL INDICATE WHAT STEPS ARE NECESSARY TO ENSURE THAT AGENCY SAFEGUARDS SHALL APPLY BEFORE THE INTENDED TRANSFER,

CONSTRUCTION OR MAKING AVAILABLE OF THE NUCLEAR MATERIAL,
MATERIAL, EQUIPMENT, FACILITY OR INFORMATION.

SECTION 16. WHENEVER IT IS INTENDED TO TRANSFER NUCLEAR
MATERIAL, MATERIAL, OR EQUIPMENT LISTED IN THE MAIN PART OF THE
INVENTORY TO A FACILITY WITHIN THE ARGENTINE REPUBLIC WHICH
IS NOT YET LISTED IN THE INVENTORY, THE GOVERNMENT OF THE
ARGENTINE REPUBLIC SHALL MAKE THE NOTIFICATION REQUIRED IN
ACCORDANCE WITH SECTION 12 TO THE AGENCY AND THE GOVERNMENT
OF CANADA BEFORE SUCH TRANSFER IS EFFECTED. THE
THE TRANSFER SHALL NOT BE MADE TO THAT FACILITY UNTIL THE
AGENCY HAS CONFIRMED THAT IT HAS MADE ARRANGEMENT IN
ACCORDANCE WITH SECTION 7(B) WITH RESPECT TO THAT FACILITY.

EXEMPTION FROM AND SUSPENSION OF SAFEGUARDS

SECTION 17. NUCLEAR MATERIAL LISTED IN THE MAIN PART OF THE
INVENTORY SHALL BE EXEMPTED FROM SAFEGUARDS UNDER THE
CONDITIONS SPECIFIED IN PARAGRAPHS 21 AND 22 OF THE SAFEGUARDS
DOCUMENT.

SECTION 18. THE AGENCY MAY, WITH THE AGREEMENT OF THE GOVERN-
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MENT OF CANADA, SUSPEND SAFEGUARDS ON NUCLEAR MATERIAL UNDER
THE CONDITIONS SPECIFIED IN PARAGRAPH 24 OF THE SAFEGUARDS
DOCUMENT.

SECTION 19. NUCLEAR MATERIAL WHICH IS EXEMPTED FROM SAFE-
GUARDS PURSUANT TO SECTION 17 AND NUCLEAR MATERIAL ON WHICH
SAFEGUARDS HAVE BEEN SUSPENDED PURSUANT TO SECTION 18 SHALL
BE DELETED FROM THE MAIN PART OF THE INVENTORY AND SHALL BE
LISTED IN THE INACTIVE PART
OF THE INVENTORY.

TERMINATION OF SAFEGUARDS

SECTIONS 20. THE SAFEGUARDS APPLIED PURSUANT TO THIS AGREE-
MENT SHALL BE TERMINATED BY THE AGENCY UNDER THE FOLLOWING
CONDITIONS:

(A) ON NUCLEAR MATERIAL, MATERIAL, EQUIPMENT OR FACILITIES,
UPON TRANSFER IN ACCORDANCE WITH SECTION 15 OR UPON RETURN
TO CANADA;

(B) ON NUCLEAR MATERIAL UNDER THE CONDITIONS SPECIFIED
IN PARAGRAPH 26(C) AND PARAGRAPH 27 OF THE SAFEGUARDS DOCUMENT;

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(C) ON MATERIAL, EQUIPMENT AND FACILITIES AS AND WHEN THE
AGENCY DETERMINES THAT THE ITEM IN QUESTION HAS BEEN CONSUMED,
IS NO LONGER USABLE FOR ANY NUCLEAR ACTIVITY
RELEVANT FROM THE POINT OF VIEW OF SAFEGUARDS OR HAS
BECOME PRACTICABLY IRRECOVERABLE.
SECTION 21. UPON TERMINATION OF SAFEGUARDS ON ANY NUCLEAR
MATERIAL, MATERIAL, EQUIPMENT OR FACILITY PURSUANT TO
SECTION 20, THE ITEM IN QUESTION SHALL BE DELETED FROM THE
INVENTORY. THE AGENCY SHALL, WITHIN THIRTY DAYS OF DELETING THE
LISTING
OF AN ITEM FROM THE INVENTORY PURSUANT TO SECTION 20(A)
INFORM THE GOVERNMENT OF THE ARGENTINE REPUBLIC AND THE
GOVERNMENT OF CANADA THAT SUCH A DELETION HAS BEEN MADE.
SECTION 22. THE PROVISIONS OF PARAGRAPHS 1 TO 10 AND 12
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TO 14, INCLUSIVE, OF THE INSPECTORS DOCUMENT SHALL APPLY
TO AGENCY INSPECTORS PERFORMING FUNCTIONS PURSUANT TO THIS
AGREEMENT HOWEVER, PARAGRAPH 4 OF THE INSPECTORS DOCUMENT
SHALL NOT APPLY WITH REGARD TO ANY FACILITY OR TO NUCLEAR
MATERIAL TO WHICH THE AGENCY HAS ACCESS AT ALL TIMES.
THE ACTUAL PROCEDURES TO IMPLEMENT PARAGRAPH 50 OF

THE SAFEGUARDS DOCUMENT SHALL BE AGREED BEFORE THE FACILITY OR THE NUCLEAR MATERIAL IS LISTED IN THE INVENTORY.

SECTION 23. THE RELEVANT PROVISIONS OF THE AGREEMENT ON THE PRIVILEGES AND IMMUNITIES OF THE AGENCY SHALL APPLY TO THE AGENCY, ITS INSPECTORS AND TO ANY PROPERTY OF THE AGENCY USED BY THEM IN PERFORMING THEIR FUNCTIONS UNDER THIS AGREEMENT.

PHYSICAL PROTECTION

SECTION 24. THE GOVERNMENT OF THE ARGENTINE REPUBLIC SHALL TAKE ALL THE MEASURES NECESSARY FOR THE PHYSICAL PROTECTION ON NUCLEAR MATERIAL, MATERIAL, EQUIPMENT AND FACILITIES REQUIRED TO BE LISTED IN THE INVENTORY AND SHALL BE GUIDED BY THE RECOMMENDATIONS OF THE AGENCY WITH REGARD TO SUCH MEASURES. THE GOVERNMENT OF THE ARGENTINE REPUBLIC AND THE AGENCY SHALL CONSULT FROM TIME TO TIME REGARDING PHYSICAL PROTECTION. THE GOVERNMENT OF CANADA SHALL BE INVITED TO PARTICIPATE IN THESE CONSULTATIONS.

FINANCIAL PROVISIONS

SECTION 25. EXPENSES SHALL BE BORNE AS FOLLOWS:

(A) SUBJECT TO PARAGRAPH(B) OF THIS SECTION, EACH PARTY SHALL BEAR ANY EXPENSES INCURRED IN THE IMPLEMENTATION OF ITS RESPONSIBILITIES UNDER THIS AGREEMENT;

(B) ALL SPECIAL EXPENSES INCURRED BY THE GOVERNMENT OF THE ARGENTINE REPUBLIC OR BY PERSONS UNDER ITS JURISDICTION, AT THE WRITTEN REQUEST OF THE AGENCY, ITS INSPECTORS OR OTHER OFFICIALS, SHALL BE REIMBURSED BY THE AGENCY IF THE GOVERNMENT OF THE ARGENTINE REPUBLIC NOTIFIES THE AGENCY

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BEFORE THE EXPENSE IS INCURRED THAT REIMBURSEMENT WILL BE REQUIRED.

NOTHING IN THIS SECTION SHALL PREJUDICE THE ALLOCATION OF EXPENSES WHICH ARE REASONABLE ATTRIBUTABLE TO A FAILURE BY EITHER PARTY TO COMPLY WITH THIS AGREEMENT.

SECTION 26. THE GOVERNMENT OF THE ARGENTINE REPUBLIC SHALL ENSURE THAT ANY PROTECTION AGAINST THIRD-PARTY LIABILITY, INCLUDING ANY INSURANCE OR OTHER FINANCIAL SECURITY, IN RESPECT OF A NUCLEAR INCIDENT OCCURRING IN A NUCLEAR FACILITY OF THE ARGENTINE REPUBLIC SHALL APPLY TO THE AGENCY AND ITS INSPECTORS WHEN CARRYING OUT THEIR FUNCTIONS UNDER THIS AGREEMENT AS THE PROTECTION APPLIES TO NATIONAL OF THE ARGENTINE REPUBLIC.

THE AGENCY'S OBLIGATIONS IN THE EVENT OF NON-COMPLIANCE

SECTION 27.

(A) IF THE BOARD DETERMINES, IN ACCORDANCE WITH ARTICLE

XII.C OF THE STATUTE, THAT THERE HAS BEEN ANY NON-COMPLIANCE WITH THIS AGREEMENT, THE BOARD SHALL CALL UPON GOVERNMENT OF THE ARGENTINE REPUBLIC TO REMEDY SUCH NON-COMPLIANCE FORTHWITH, AND THE BOARD SHALL MAKE SUCH REPORTS AS IT DEEMS APPROPRIATE. IN THE EVENT OF FAILURE BY THE GOVERNMENT OF THE ARGENTINE REPUBLIC TO TAKE FULLY CORRECTIVE ACTION WITHIN A REASONABLE TIME, THE BOARD MAY TAKE ANY OTHER MEASURES PROVIDED FOR IN ARTICLE XII.C OF THE STATUTE.

(B) THE AGENCY SHALL IMMEDIATELY NOTIFY THE GOVERNMENT OF THE ARGENTINE REPUBLIC OF ANY DETERMINATION OF THE BOARD PURSUANT TO THIS SECTION.

SETTLEMENT OF DISPUTES

SECTION 28. ANY DISPUTES ARISING OUT OF THE INTERPRETATION OR APPLICATION OF THIS AGREEMENT WHICH IS NOT SETTLED BY NEGOTIATION OR ANOTHER PROCEDURE AGREED TO BY THE GOVERNMENT OF THE ARGENTINE REPUBLIC AND THE AGENCY, SHALL ON THE UNCLASSIFIED

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REQUEST OF EITHER THE GOVERNMENT OF THE ARGENTINE REPUBLIC OR THE AGENCY BE SUBMITTED TO AN ARBITRAL TRIBUNAL COMPOSED AS FOLLOWS:

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THE GOVERNMENT OF THE ARGENTINE REPUBLIC AND THE AGENCY SHALL EACH DESIGNATE ONE ARBITRATOR AND THE TWO ARBITRATORS SO DESIGNATED SHALL ELECT A THIRD WHO SHALL BE THE CHAIRMAN. IF WITHIN THIRTY DAYS OF THE REQUEST FOR ARBITRATION EITHER THE GOVERNMENT OF THE ARGENTINE REPUBLIC OR THE AGENCY HAS NOT DESIGNATED AN ARBITRATOR, THE GOVERNMENT OF THE ARGENTINE REPUBLIC OR THE AGENCY MAY REQUEST THE PRESIDENT OF THE INTERNATIONAL COURT OF JUSTICE TO APPOINT AN ARBITRATOR. THE SAME PROCEDURE SHALL APPLY IF, WITHIN THIRTY DAYS OF THE DESIGNATION OR APPOINTMENT OF THE SECOND ARBITRATOR, THE THIRD ARBITRATOR HAS NOT BEEN ELECTED. A MAJORITY OF THE MEMBERS OF THE ARBITRAL TRIBUNAL SHALL CONSTITUTE A QUORUM, AND ALL DECISIONS SHALL BE MADE BY MAJORITY VOTE. THE ARBITRAL PROCEDURE SHALL BE FIXED BY THE TRIBUNAL. THE DECISIONS OF THE TRIBUNAL, INCLUDING ALL UNCLASSIFIED

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RULINGS CONCERNING ITS CONSTITUTION, PROCEDURE, JURISDICTION AND THE DIVISION OF THE EXPENSES OF ARBITRATION BETWEEN THE GOVERNMENT OF THE ARGENTINE REPUBLIC AND THE AGENCY, SHALL BE BINDING ON THE GOVERNMENT OF THE ARGENTINE REPUBLIC AND THE AGENCY. THE REMUNERATION OF THE ARBITRATORS SHALL BE DETERMINED ON THE SAME BASIS AS THE OF AD HOC JUDGES OF THE INTERNATIONAL COURT OF JUSTICE. SECTION 29. DECISIONS OF THE BOARD CONCERNING THE IMPLEMENTATION OF THIS AGREEMENT, EXCEPT SUCH AS RELATE ONLY TO SECTIONS 25 AND 26 SHALL, IF THEY SO PROVIDE, BE GIVEN EFFECT IMMEDIATELY BY THE PARTIES, PENDING THE FINAL SETTLEMENT OF ANY DISPUTE.

FINAL CLAUSES

SECTION 30. THE PARTIES SHALL, AT THE REQUEST OF EITHER OF THEM, CONSULT ABOUT AMENDING THIS AGREEMENT. IF THE BOARD DECIDES TO MAKE ANY CHANGES IN THE SAFEGUARDS DOCUMENT OR IN THE INSPECTORS DOCUMENT, THIS AGREEMENT SHALL BE AMENDED IF THE GOVERNMENT OF THE ARGENTINE REPUBLIC SO REQUESTS, TO TAKE ACCOUNT OF SUCH CHANGES, TO THE DATE OF THE REQUEST. SECTION 31. THIS AGREEMENT SHALL ENTER INTO FORCE UPON SIGNATURE BY OR FOR THE DIRECTOR GENERAL OF THE AGENCY AND BY THE AUTHORIZED REPRESENTATIVE OF THE GOVERNMENT OF THE ARGENTINE REPUBLIC. IT SHALL REMAIN IN FORCE UNTIL SAFEGUARDS

HAVE BEEN TERMINATED, IN ACCORDANCE WITH ITS PROVISIONS,
ON ALL NUCLEAR MATERIAL, SUBSEQUENT GENERATIONS OF PRODUCED
SPECIAL FISSIONABLE MATERIAL,
SUBJECT TO SAFEGUARDS UNDER THIS AGREEMENT AND ALL OTHER
ITEMS REFERRED TO IN SECTION 2 AND UNTIL THE LIST REFERRED TO
IN SECTION 10 NO LONGER CONTAINS ANY DESCRIPTION OF IN-
FORMATION, OR AS MAY BE OTHERWISE AGREED BETWEEN THE AGENCY
AND THE GOVERNMENT OF THE ARGENTINE REPUBLIC.

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1. PARTS FOR SPECIALLY DESIGNED EQUIPMENT DESCRIBED IN ITEMS
2 TO 14 INCLUSIVE OF THIS LIST.
2. PLANT AND EQUIPMENT SPECIALLY DESIGNED FOR THE FABRICATION
OF FUEL ELEMENTS CONTAINING SOURCE (FERTILE) OR FISSIONABLE
MATERIALS.
3. PLANT AND EQUIPMENT SPECIALLY DESIGNED FOR THE PRODUCTION
OR CONCENTRATION OF DEUTERIUM OR DEUTERIUM OXIDE.
4. EQUIPMENT SPECIFICALLY DESIGNED FOR THE SEPARATION OF
ISOTOPES OF URANIUM OR LITHIUM.
5. MACHINES, MATERIALS OR EQUIPMENT SPECIALLY DESIGNED FOR
USE IN THE PROCESSING OF IRRADIATED NUCLEAR MATERIALS IN
ORDER TO ISOLATE OR RECOVER FISSIONABLE MATERIALS, SUCH AS
NUCLEAR REACTOR FUEL, CHOPPING MACHINES, COUNTERCURRENT SOLVENT
EXTRACTORS, AND SPECIALLY DESIGNED PARTS AND ACCESSORIES THEREFOR.
6. EQUIPMENT SPECIALLY DESIGNED FOR THE PROCESSING OF
SOURCE (FERTILE) OR FISSIONABLE MATERIAL INCLUDING PLANTS
SPECIALLY DESIGNED FOR THE PRODUCTION OF URANIUM HEXAFLUORIDE
(UF₆).
7. VALVES, 3 CENTIMETERS OR GREATER IN DIAMETER, WITH BELLOWS
SEALS, WHOLLY MADE OF OR LINED WITH ALUMINUM, NICKEL,
OR ALLOY CONTAINING 60 PER CENT OR MORE NICKEL, EITHER
MANUALLY OR AUTOMATICALLY OPERATED.
8. GAS CENTRIFUGES CAPABLE OF THE ENRICHMENT OR SEPARATION
OF ISOTOPES AND SPECIALLY DESIGNED PARTS AND EQUIPMENT
FOR GAS CENTRIFUGES AND GAS CENTRIFUGE INSTALLATIONS.
9. BLOWERS AND COMPRESSORS (TURBO, CENTRIFUGAL AND AXIAL FLOW
TYPES), WHOLLY MADE OF OR LINED WITH ALUMINUM, NICKEL OR
ALLOY CONTAINING 60 PER CENT OR MORE NICKEL, AND HAVING
A CAPACITY OF 60 CUBIC FEET PER MINUTE (1,700 LITRES PER MINUTE)
OR GREATER.
10. ELECTROLYTIC CELLS FOR THE PRODUCTION OF FLUORINE, WITH
A PRODUCTION CAPACITY GREATER THAN 250 GRAMS OF FLUORINE
PER HOUR.

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11. HEAT EXCHANGERS, SUITABLE FOR USE IN GASEOUS DIFFUSION

PLANTS (I.E. HEAT EXCHANGERS MADE OF ALUMINUM, COPPER, NICKEL OR ALLOYS CONTAINING MORE THAN 60 PER CENT NICKEL OR COMBINATIONS OF THESE METALS AS CLAD TUBES), DESIGNED TO OPERATE AT SUBATMOSPHERIC PRESSURE, WITH A LEAK RATE OF LESS THAN 10^{-4} ATMOSPHERES PER HOUR UNDER A PRESSURE DIFFERENTIAL OF 1 ATMOSPHERE.

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12. NUCLEAR REACTORS, I.E. REACTORS CAPABLE OF OPERATION SO AS TO MAINTAIN A CONTROLLED, SELF-SUSTAINING FISSION CHAIN REACTION AND EQUIPMENT SPECIALLY DESIGNED THEREFOR.
13. NEUTRON GENERATOR TUBES DESIGNED FOR OPERATION WITHOUT AN EXTERNAL VACUUM SYSTEM, AND UTILIZING ELECTROSTATIC ACCELERATION TO INDUCE A TRITIUM-DEUTERIUM NUCLEAR REACTION.
14. PRECESS CONTROL INSTRUMENTATION. SPECIALLY DESIGNED OR MODIFIED FOR MONITORING OR CONTROLLING THE PROCESSING OF

IRRADIATED FISSIONABLE OR FERTILE MATERIALS AND LITHIUM.

AGREEMENT BETWEEN THE INTERNATIONAL ATOMIC ENERGY AGENCY AND
THE GOVERNMENT OF THE ARGENTINE REPUBLIC FOR THE APPLICATION
OF SAFEGUARDS

WHEREAS THE GOVERNMENT OF THE ARGENTINE REPUBLIC AND THE
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GOVERNMENT OF THE FEDERREPUBLIC OF GERMANY HAVE CONCLUDED
ON 13 JANUARY 1977 AN AGREEMENT TO ENABLE IMPLEMENTATION
OF THE CONTRACT CONCLUDED ON 13 AUGUST 1976 BETWEEN THE
COMMISSION NATIONAL DE ENERGIA ATOMICA AND THE REACTOR BREITENBURG
UNION GMBH. HANAU, FOR CO-OPERATION IN THE FIELD
OF FABRICATION OF FUEL ELEMENTS FOR PEACEFUL NUCLEAR ACTIVITIES
(HEREINAFTER REFERRED TO AS "THE CONTRACT");

WHEREAS CERTAIN EQUIPMENT AND TECHNOLOGICAL INFORMATION WILL
BE SUPPLIED FROM THE FEDERAL REPUBLIC OF GERMANY TO THE
ARGENTINE REPUBLIC PURSUANT TO THE CONTRACT;

WHEREAS THE GOVERNMENT OF THE ARGENTINE REPUBLIC HAS RE-
QUESTED THE INTERNATIONAL ATOMIC ENERGY AGENCY (HEREINAFTER
REFERRED TO AS "THE AGENCY") TO APPLY ITS SAFEGUARDS IN CON-
NECTION WITH THE SUPPLY OF THE EQUIPMENT AND INFORMATION;

WHEREAS THE AGENCY IS AUTHORIZED BY ITS STATUTE TO APPLY
SAFEGUARDS, INTER ALIA, AT THE REQUEST OF A STATE TO ANY OF
THAT STATE'S ACTIVITIES IN THE FIELD OF ATOMIC ENERGY;

WHEREAS THE BOARD OF GOVERNORS OF THE AGENCY (HEREINAFTER
REFERRED TO AS "THE BOARD") HAS ACCEDED TO THAT REQUEST ON.....;

NOW THEREFORE, THE GOVERNMENT OF THE ARGENTINE REPUBLIC AND
THE AGENCY HAVE AGREED AS FOLLOWS:

SECTION 1 FOR THE PURPOSE OF THIS AGREEMENT:

(A) "EQUIPMENT" SHALL MEAN ANY EQUIPMENT WHICH IS SPECIALLY
DESIGNED OR PREPARED FOR THE PROCESSING, USE OR PRODUCTION
OF NUCLEAR MATERIAL;

(B) "INFORMATION" (EXCEPT IN SECTION 8(D) AND 15 (A) OF THIS
AGREEMENT) SHALL MEAN INFORMATION TRANSFERRED TO THE ARGENTINE
REPUBLIC UNDER THE CONTRACT IN ANY FORM OR MANNER IN WHICH

SUCH INFORMATION CAN BE TRANSFERRED, INCLUDING BUT NOT LIMITED
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TO TECHNICAL DRAWINGS, PHOTOGRAPHIC NEGATIVES AND PRINTS, RECORDINGS, DESIGN DATA AND TECHNICAL AND OPERATING AND MAINTENANCE MAUNALS, THAT CAN BE USED IN THE DESIGN, PRODUCTION, OPERATION OR TESTING OF EQUIPMENT, FACILITIES, NUCLEAR MATERIAL OR MATERIAL, EXCEPT INFORMATION FREELY AVAILABLE TO THE PUBLIC; THE TERM SHALL INCLUDE ANY INFORMATION OBTAINED FROM A FACILITY OR EQUIPMENT TRANSFERRED UNDER THE CONTRACT. THE TERM SHALL NOT INCLUDE INFORMATION ON THE FABRICATION OF FUEL ELEMENTS, WHICH IS ALREADY BEING USED IN ARGENTINA; (C) "INSPECTORS DOCUMENT" SHALL MEAN THE ANNEX TO AGENCY

DOCUMENT GC(V)/INF/39;

(D) "NUCLEAR FACILITY" SHALL MEAN

(I) A PRINCIPAL NUCLEAR FACILITY AS DEFINED IN PARAGRAPH 78 OF THE SAFEGUARDS DOCUMENT AS WELL AS A CRITICAL FACILITY OR A SEPARATE STORAGE INSTALLATION; OR

(II) ANY LAOCTION WHERE NUCLEAR MATERIAL IN AMOUNTS GREATER THAN ONE EFFECTIVE KILOGRAM IS CUSTOMARILY USED.

(E) "NUCLEAR MATERIAL" SHALL MEAN SOURCE MATERIAL OR SPECIAL FISSIONABLE MATERIAL AS DEFINED IN ARTICLE XX OF THE STATUTE OF THE AGENCY;

(F) "PRODUCED, PROCESSED, OR USED" SHALL MEAN ANY UTILIZATION OR ANY ALTERATION OF THE PHYSICAL OR CHEMICAL FORM OR COMPOSITION INCLUDING ANY CHANGE OF THE ISOTOPIC COMPOSITION, OF THE NUCLEAR MATERIAL INVOLVED.

(G) "SAFEGUARDS DOCUMENT" SHALL MEAN AGENCY DOCUMENT INFCIRC/66/REV.2;

(H) "SUPPLIED EQUIPMENT" SHALL MEAN EQUIPMENT SUPPLIED FROM THE FEDERAL REPUBLIC OF GERMANY TO THE ARGENTINE REPUBLIC UNDER THE CONTRACT;

UNDERTAKINGS BY THE GOVERNEMENT OF THE ARGENTINE REPUBLIC AND THE AGENCY

SECTION 2. THE GOVERNMENT OF THE ARGENTINE REPUBLIC UNDER-UNCLASSIFIED

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TAKES THA NONE OF THE FOLLOWING ITMES SHALL BE USED FOR THE MAUFACTURE OF ANY NUCLEAR WEAPON OR TO FURTHER ANY OTHER MILITARY PURPOSE OR FOR THE MANUFACTURE ON ANY OTHER NUCLEAR EXPLOSIVE DEVICE:

(A) THE SUPPLIED EQUIPMENT;

(B) ANY EQUIPMENT OR NUCLEAR FACILITY WHICHIS DESIGNED, CONSTRUCTED OR OPERATED IN THE ARGENTINE REPUBLIC ON THE BASIS OF OR BY THE USE OF INFORMATION;

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(C) ANY NUCLEAR MATERIAL, INCLUDING SUBSEQUENT GENERATIONS
OF SPEDIAL FISSIONABLE MATERIAL, WHICH HAS BEEN PRODUCED,
PROECSSSED OR USED ON THE BASIS OF OR BY THE USE OF ANY
EQUIPMENT OR ANY NUCLEAR FACILITY REFERRED TO IN THIS SECTION;

(D) ANY NUCLEAR MATERIAL, INCLUDING SUBSEQUENT GENERATIONS
OF SPECIAL FISSIONABLE MATERIAL, WHICH HAS BEEN PRODUCED OR
PROCESSED BY THE USE OF ANY OTHER NUCLEAR MATERIAL REFERRED
TO IN THIS SECTION;

(E) ANY OTHER ITEM REQUIRED TO BE LISTED IN THE INVENTORY
REFERRED TO IN SECTION 5.

SECTION 3. THE AGENCY UNDERTAKES TO APPLY SAFEGUARDS IN AC-
CORDANCE

WITH THE TERMS OF THIS AGREEMENT TO THE ITEMS REFERRED TO IN
SECTION 2 SO AS TO ENSURE AS FAR AS IT IS ABLE THAT NO

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SUCH ITEM IS USED FOR THE MANUFACTURE OF ANY NUCLEAR WEAPON
OR TO FURTHER ANY OTHER MILITARY

PURPOSE OR FOR THE MANUFACTURE OF ANY OTHER NUCLEAR EXPLOSIVE DEVICE.

SECTION 4. IN APPLYING SAFEGUARDS, THE AGENCY SHALL OBSERVE THE PRINCIPLES SET FORTH IN PARAGRAPHS 9 THROUGH 14 OF THE SAFEGUARDS DOCUMENT. THE GOVERNMENT OF THE ARGENTINE REPUBLIC UNDERTAKES TO FACILITATE THE APPLICATION OF THE SAFEGUARDS PROVIDED FOR

IN THIS AGREEMENT AND TO CO-OPERATE WITH AGENCY TO THAT END.

ESTABLISHMENT AND MAINTENANCE OF THE INVENTORY AND THE LIST

SECTION 5. THE AGENCY SHALL ESTABLISH AND MAINTAIN AN INVENTORY OF NUCLEAR MATERIAL, EQUIPMENT AND NUCLEAR FACILITIES SUBJECT TO THIS AGREEMENT, WHICH SHALL BE DIVIDED INTO THREE PARTS:

(A) THE MAIN PART OF THE INVENTORY SHALL LIST:

(I) THE SUPPLIED EQUIPMENT;

(II) ANY EQUIPMENT OR NUCLEAR FACILITY WHICH IS DESIGNED, CONSTRUCTED OR OPERATED IN THE ARGENTINE REPUBLIC ON THE BASIS OF OR BY THE USE OF INFORMATION;

(III) ANY NUCLEAR MATERIAL, INCLUDING SUBSEQUENT GENERATIONS OF SPECIAL FISSIONABLE MATERIAL, WHICH HAS BEEN PRODUCED, PROCESSED OR USED ON THE BASIS OF OR BY THE USE OF ANY EQUIPMENT OR ANY NUCLEAR FACILITY REQUIRED TO BE LISTED IN THE INVENTORY;

(IV) ANY NUCLEAR MATERIAL, INCLUDING SUBSEQUENT GENERATIONS OF SPECIAL FISSIONABLE MATERIAL, WHICH HAS BEEN PRODUCED OR PROCESSED BY THE USE OF ANY NUCLEAR MATERIAL REQUIRED TO BE LISTED IN THE MAIN PART OF THE INVENTORY;

(V) ANY NUCLEAR MATERIAL SUBSTITUTED IN ACCORDANCE WITH PARAGRAPH 25 OR 26(D) OF THE SAFEGUARDS DOCUMENT FOR NUCLEAR MATERIAL OTHERWISE REQUIRED TO BE LISTED IN THE MAIN PART OF THE INVENTORY.

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(B) THE SUBSIDIARY PART OF THE INVENTORY SHALL LIST:

ANY NUCLEAR FACILITY WHILE CONTAINING OR USING ANY OF THE SUPPLIED EQUIPMENT OR ANY NUCLEAR MATERIAL REFERRED TO IN THE MAIN PART OF THE INVENTORY.

(C) IN INACTIVE PART OF THE INVENTORY SHALL LIST ANY NUCLEAR MATERIAL WHICH WOULD NORMALLY BE LISTED IN THE MAIN PART OF THE INVENTORY BUT WHICH IS NOT SO LISTED BECAUSE:

(I) IT IS EXEMPT FROM SAFEGUARDS IN ACCORDANCE WITH THE PROVISIONS OF PARAGRAPH 21, 22 OR 23 OF THE SAFEGUARDS DOCUMENT; OR (II) SAFEGUARDS THEREON ARE SUSPENDED IN ACCORDANCE WITH THE PROVISIONS OF PARAGRAPH 24 OR 25 OF THE SAFEGUARDS DOCUMENT.

SECTION 6. THE AGENCY SHALL MAINTAIN A LIST CONTAINING

A DESCRIPTION OF INFORMATION AS HAS BEEN NOTIFIED TO IT UNDER SECTION 8(A). UPON DETERMINATION BY THE GOVERNMENT OF THE ARGENTINE REPUBLIC AND THE AGENCY THAT ANY INFORMATION IS NO LONGER SIGNIFICANT FOR ANY NUCLEAR ACTIVITY RELEVANT FROM THE POINT OF VIEW OF SAFEGUARDS, APPROPRIATE DELETIONS SHALL BE MADE FROM THE LIST.

SECTION 7. THE AGENCY SHALL SEND A COPY OF THE INVENTORY AND THE LIST TO THE GOVERNMENT OF THE ARGENTINE REPUBLIC EVERY TWELVE MONTHS AND ALSO AT ANY OTHER TIMES SPECIFIED BY THE GOVERNMENT OF THE ARGENTINE REPUBLIC IN A REQUEST COMMUNICATED TO THE AGENCY AT LEAST TWO WEEKS IN ADVANCE.

SECTION 8. (A) THE GOVERNMENT OF THE ARGENTINE REPUBLIC SHALL NOTIFY THE AGENCY OF THE RECEIPT OF ANY OF THE SUPPLIED EQUIPMENT OR INFORMATION WITHIN TWO WEEKS OF ITS TRANSFER INTO THE JURISDICTION OF THE ARGENTINE REPUBLIC.

(B) THE NOTIFICATION OF TRANSFER MAY ALSO BE MADE BY THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY, OR BY THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY JOINTLY WITH THE GOVERNMENT OF THE ARGENTINE REPUBLIC. THE AGENCY MAY ALSO REQUEST INFORMATION FROM THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY IN CONNECTION WITH TRANSFERS OF THE SUPPLIED
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EQUIPMENT OR INFORMATION.

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(C) THE AGENCY SHALL LIST SUPPLIED EQUIPMENT IN THE MAIN PART OF THE INVENTORY AND INFORMATION IN THE LIST WHEN IT HAS RECEIVED NOTIFICATION OR CONFIRMATION BY THE GOVERNMENT OF THE ARGENTINE REPUBLIC OF THE RECEIPT OF SUCH SUPPLIED

EQUIPMENT OR INFORMATION AND SHALL SO INFORM THE GOVERNMENT OF THE ARGENTINE REPUBLIC AND THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY.

(D) EACH NOTIFICATION SHALL INCLUDE THE TYPE AND CAPACITY OF THE SUPPLIED EQUIPMENT, THE DATE OF SHIPMENT, THE DATE OF RECEIPT, THE IDENTITY OF THE CONSIGNOR AND CONSIGNEE AND ANY OTHER RELEVANT INFORMATION.

SECTION 9. THE GOVERNMENT OF THE ARGENTINE REPUBLIC SHALL NOTIFY THE AGENCY OF ANY NUCLEAR FACILITY OR EQUIPMENT FOR THE FABRICATION OF FUEL ELEMENTS WHICH IS DESIGNED, CONSTRUCTED
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OR OPERATED IN THE ARGENTINE REPUBLIC ON THE BASIS OF OR BY THE USE OF INFORMATION. WITHOUT RESTRICTING THE GENERALITY OF SECTION 5(A)(II), ANY NUCLEAR FACILITY OR EQUIPMENT FOR THE FABRICATION OF FUEL ELEMENTS DESIGNED, CONSTRUCTED OR OPERATED IN THE ARGENTINE REPUBLIC WITHIN TWENTY YEARS OF THE RECEIPT OF THE NOTIFICATION REFERRED TO IN SECTION 8(A), SHALL BE DEEMED TO BE A NUCLEAR FACILITY OR EQUIPMENT REFERRED TO IN SECTION 5(A)(II), IF THE CHEMICAL OR PHYSICAL PROCESS WHICH CHARACTERIZES THE OPERATION OF THE NUCLEAR FACILITY OR EQUIPMENT IS THE SAME OR ESSENTIALLY THE SAME TO WHICH THE INFORMATION RELATES.

SECTION 10. (A) THE GOVERNMENT OF THE ARGENTINE REPUBLIC SHALL NOTIFY THE AGENCY BY MEANS OF ITS REPORTS PURSUANT TO THE SAFEGUARDS DOCUMENT OF

ANY SPECIAL FISSIONABLE MATERIAL PRODUCED DURING THE PERIOD COVERED BY THE REPORT IN OR BY THE USE OF ANY OF THE ITEMS DESCRIBED IN SECTION 5(A) AND (B). UPON RECEIPT BY THE AGENCY OF THE NOTIFICATION, SUCH PRODUCED MATERIAL SHALL BE LISTED IN THE MAIN PART OF THE INVENTORY. THE AGENCY MAY VERIFY THE CALCULATIONS OF THE AMOUNTS OF THE SAID PRODUCED MATERIAL. APPROPRIATE ADJUSTMENT IN THE INVENTORY SHALL BE MADE BY AGREEMENT OF THE AGENCY AND THE GOVERNMENT OF THE ARGENTINE REPUBLIC AND, PENDING AGREEMENT OF THE AGENCY AND THE GOVERNMENT OF THE ARGENTINE REPUBLIC, THE AGENCY'S

CALCULATIONS SHALL BE USED.

(B) THE GOVERNMENT OF THE ARGENTINE REPUBLIC SHALL NOTIFY THE AGENCY BY MEANS OF ITS REPORTS PURSUANT TO THE SAFEGUARDS DOCUMENT, OF ANY NUCLEAR MATERIAL PROCESSED OR USED DURING THE PERIOD COVERED BY THE REPORT AND ACCORDINGLY REQUIRED TO BE LISTED IN THE MAIN PART OF THE INVENTORY. UPON RECEIPT BY THE AGENCY OF THE NOTIFICATION, SUCH NUCLEAR MATERIAL SHALL BE LISTED IN THE MAIN PART OF THE INVENTORY.

TRANSFERS

SECTION 11. (A) WHENEVER THE GOVERNMENT OF THE ARGENTINE
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REPUBLIC INTENDS TO TRANSFER NUCLEAR MATERIAL OR EQUIPMENT LISTED IN THE MAIN PART OF THE INVENTORY TO A NUCLEAR FACILITY WITHIN ITS JURISDICTION WHICH IS NOT YET LISTED IN THE INVENTORY, IT SHALL SO NOTIFY THE AGENCY BEFORE THE TRANSFER IS EFFECTED.

THE GOVERNMENT OF THE ARGENTINE REPUBLIC MAY MAKE THE TRANSFER TO THE NUCLEAR FACILITY ONLY AFTER THE AGENCY HAS CONFIRMED THAT IT HAS MADE ARRANGEMENTS TO APPLY SAFEGUARDS WITH RESPECT TO THE NUCLEAR FACILITY IN QUESTION.

(B) THE GOVERNMENT OF THE ARGENTINE REPUBLIC SHALL NOTIFY THE AGENCY OF ANY TRANSFER OF NUCLEAR MATERIAL OR EQUIPMENT LISTED IN THE MAIN PART OF THE INVENTORY TO A RECIPIENT WHICH IS NOT UNDER THE JURISDICTION OF THE GOVERNMENT OF THE ARGENTINE REPUBLIC. SUCH NUCLEAR MATERIAL OR EQUIPMENT MAY BE TRANSFERRED AND SHALL THEREUPON BE DELETED FROM THE INVENTORY ONLY AFTER THE AGENCY HAS CONFIRMED THAT IT HAS MADE ARRANGEMENTS TO APPLY SAFEGUARDS IN RESPECT OF THE NUCLEAR MATERIAL OR EQUIPMENT IN QUESTION AFTER THE TRANSFER.

(C) INFORMATION MAY BE TRANSFERRED TO A RECIPIENT WHICH IS NOT UNDER THE JURISDICTION OF THE GOVERNMENT OF THE ARGENTINE REPUBLIC ONLY AFTER THE AGENCY HAS CONFIRMED THAT IT HAS MADE ARRANGEMENTS TO APPLY SAFEGUARDS IN CONNECTION WITH THE USE OF SUCH INFORMATION.

SECTION 12. THE NOTIFICATIONS PROVIDED FOR IN SECTION 11 SHALL BE SENT TO THE AGENCY SUFFICIENTLY IN ADVANCE TO ENABLE THE AGENCY TO MAKE ANY ARRANGEMENTS REQUIRED BY THAT SECTION BEFORE THE TRANSFER IS EFFECTED.

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FM AMEMBASSY VIENNA
TO SECSTATE WASHDC IMMEDIATE 2036
INFO AMEMBASSY BUENOS AIRES
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THE AGENCY SHALL TAKE ANY
NECESSARY ACTION PROMPTLY.
THE TIME LIMITS FOR AND THE CONTENTS OF THESE NOTIFICATIONS
SHALL BE LAID DOWN IN THE SUBSIDIARY ARRANGEMENTS REFERRED
TO IN SECTION 15(B), TAKING INTO ACCOUNT THE PROVISIONS
OF PARAGRAPH 9 OF THE SAFEGUARDS DOCUMENT.

EXEMPTION AND SUSPENSION

SECTION 13. THE AGENCY SHALL EXEMPT FROM SAFEGUARDS NUCLEAR
MATERIAL UNDER THE CONDITIONS SPECIFIED IN PARAGRAPH 21,
22 OR 23 OF THE SAFEGUARDS DOCUMENT AND SHALL SUSPEND SAFE-
GUARDS WITH RESPECT TO NUCLEAR MATERIAL UNDER THE CONDITIONS
SPECIFIED IN PARAGRAPH 24 OR 25 OF THE SAFEGUARDS DOCUMENT.
SECTION 14. NUCLEAR MATERIAL SHALL BE DELETED FROM THE IN-
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INVENTORY AND AGENCY SAFEGUARDS THEREON SHALL BE TERMINATED
AS PROVIDED IN PARAGRAPHS 26 AND 27 OF THE SAFEGUARDS DOC-
UMENT. THE AGENCY SHALL ALSO TERMINATE SAFEGUARDS UNDER THIS
AGREEMENT WITH RESPECT TO ANY NUCLEAR MATERIAL DELETED FROM THE INVEN-
TORY
IN ACCORDANCE WITH SECTION (B).

SAFEGUARDS PROCEDURES AND SUBSIDIARY ARRANGEMENT

SECTION 15. (A) THE SAFEGUARDS PROCEDURES TO BE APPLIED BY THE AGENCY ARE THOSE SPECIFIED IN THE SAFEGUARDS DOCUMENT, AS WELL AS SUCH ADDITIONAL PROCEDURES AS RESULT FROM TECHNOLOGICAL DEVELOPMENTS AND AS MAY BE AGREED BETWEEN THE AGENCY AND THE GOVERNMENT OF THE ARGENTINE REPUBLIC. THE AGENCY SHALL HAVE THE RIGHT TO OBTAIN THE INFORMATION REFERRED TO IN PARAGRAPH 41 OF THE SAFEGUARDS DOCUMENT AND

TO MAKE THE INSPECTIONS REFERRED TO IN PARAGRAPHS 51 AND 52 OF THE SAFEGUARDS DOCUMENT.

(B) THE AGENCY SHALL MAKE SUBSIDIARY ARRANGEMENTS WITH THE GOVERNMENT OF THE ARGENTINE REPUBLIC CONCERNING THE IMPLEMENTATION OF THE SAFEGUARDS PROCEDURES WHICH SHALL SPECIFY IN DETAIL, TO THE EXTENT NECESSARY TO PERMIT THE AGENCY TO FULFIL ITS RESPONSIBILITIES IN AN EFFECTIVE AND EFFICIENT MANNER, HOW THE PROCEDURES OF THIS AGREEMENT SHALL BE APPLIED. THE SUBSIDIARY ARRANGEMENTS

SHALL ALSO INCLUDE ANY NECESSARY ARRANGEMENTS FOR THE APPLICATION OF SAFEGUARDS TO EQUIPMENT AND NUCLEAR FACILITIES AND SHALL MAKE PROVISIONS FOR SUCH CONTAINMENT AND SURVEILLANCE MEASURES AS ARE REQUIRED FOR THE EFFECTIVE APPLICATION OF SAFEGUARDS. THE GOVERNMENT OF THE ARGENTINE REPUBLIC AND THE AGENCY SHALL MAKE EVERY EFFORT TO ACHIEVE THE ENTRY INTO FORCE OF THE SUBSIDIARY ARRANGEMENTS AT AS EARLY A DATE AS POSSIBLE WITH A VIEW TO ENABLING THE AGENCY TO DISCHARGE ITS RESPONSIBILITIES UNDER THIS AGREEMENT.

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AGENCY INSPECTORS

SECTION 16. AGENCY INSPECTORS PERFORMING FUNCTIONS PURSUANT TO THIS AGREEMENT SHALL BE GOVERNED BY PARAGRAPHS 1 THROUGH 7 AND 9, 10, 12 AND 14 OF THE INSPECTORS DOCUMENT. HOWEVER, PARAGRAPH 4 OF THE INSPECTORS DOCUMENT SHALL NOT APPLY WITH REGARD TO ANY NUCLEAR FACILITY OR TO NUCLEAR MATERIAL

TO WHICH THE AGENCY HAS ACCESS AT ALL TIMES. THE ACTUAL PROCEDURES TO IMPLEMENT PARAGRAPH 50 OF THE SAFEGUARDS DOCUMENT SHALL BE AGREED BETWEEN THE AGENCY AND THE GOVERNMENT OF THE ARGENTINE REPUBLIC BEFORE SUCH A NUCLEAR FACILITY OR NUCLEAR MATERIAL IS LISTED IN THE INVENTORY.

SECTION 17. THE GOVERNMENT OF THE ARGENTINE REPUBLIC SHALL APPLY THE RELEVANT PROVISIONS OF THE AGREEMENT ON THE PRIVILEGES AND IMMUNITIES OF THE AGENCY TO THE AGENCY, ITS INSPECTORS PERFORMING FUNCTIONS UNDER THIS AGREEMENT AND TO ANY PROPERTY OF THE AGENCY USED BY THEM.

PHYSICAL PROTECTION

SECTION 18. THE GOVERNMENT OF THE ARGENTINE REPUBLIC SHALL TAKE ALL THE MEASURES NECESSARY FOR THE PHYSICAL PROTECTION OF NUCLEAR MATERIAL, EQUIPMENT AND NUCLEAR FACILITIES SUBJECT TO THIS AGREEMENT TAKING INTO CONSIDERATION THE RECOMMENDATIONS OF THE AGENCY WITH REGARD TO SUCH MEASURES.

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FM AMEMBASSY VIENNA
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FINANCE

SECTION 19. THE GOVERNMENT OF THE ARGENTINE REPUBLIC AND THE AGENCY SHALL EACH BEAR ANY EXPENSE UNCURRED IN THE IMPLEMENTATION OF THEIR RESPONSIBILITIES UNDER THIS AGREEMENT. THE AGENCY SHALL REIMBURSE THE GOVERNMENT OF THE ARGENTINE REPUBLIC FOR ANY SPECIAL EXPENSES, INCLUDING THOSE REFERRED TO IN PARAGRAPH 6 OF THE INSPECTORS DOCUMENT, INCURRED BY THE GOVERNMENT OF THE ARGENTINE REPUBLIC OF PERSONS UNDER ITS JURISDICTION AT THE WRITTEN REQUEST OF THE AGENCY, IF THE GOVERNMENT OF THE ARGENTINE REPUBLIC NOTIFIED THE AGENCY BEFORE THE EXPENSE

WAS INCURRED THAT REIMBURSEMENT WOULD BE REQUIRED.
THESE PROVISIONS SHALL NOT PREJUDICE THE ALLOCATION OF
EXPENSES ATTRIBUTABLE TO A FAILURE BY EITHER THE GOVERNMENT
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OF THE ARGENTINE REPUBLIC OR THE AGENCY TO COMPLY WITH THIS
AGREEMENT.

SECTION 20. THE GOVERNMENT OF THE ARGENTINE REPUBLIC SHALL

ENSURE THAT ANY PROTECTION AGAINST THIRD-PARTY LIABILITY,
INCLUDING ANY INSURANCE OR OTHER FINANCIAL SECURITY, IN
RESPECT OF A NUCLEAR INCIDENT OCCURRING IN A NUCLEAR IN-
STALLATION UNDER ITS JURISDICTION SHALL APPLY TO THE
AGENCY AND ITS INSPECTORS WHEN CARRYING OUT THEIR FUNCTIONS
UNDER THIS AGREEMENT AS THAT PROTECTION APPLIES TO
NATIONAL OF THE ARGENTINE REPUBLIC.

NON-COMPLIANCE

SECTION 21. IF THE BOARD DETERMINES THAT THERE HAS BEEN ANY
NON-COMPLIANCE WITH THIS AGREEMENT, THE BOARD SHALL CALL UPON
THE GOVERNMENT OF THE ARGENTINE REPUBLIC TO REMEDY SUCH
NON-COMPLIANCE FORTHWITH, AND SHALL MAKE SUCH REPORTS AS
IT DEEMS APPROPRIATE. IN THE EVENT OF FAILURE BY THE GOVERN-
MENT OF THE ARGENTINE REPUBLIC TO TAKE FULLY CORRECTIVE
ACTION WITHIN A REASONABLE TIME THE BOARD MAY TAKE ANY
OTHER MEASURES PROVIDED FOR IN ARTICLE XII.C OF THE STATUTE.
THE AGENCY SHALL PROMPTLY NOTIFY THE GOVERNMENT OF THE AR-
GENTINE REPUBLIC IN THE EVENT OF ANY TERMINATION BY THE
BOARD PURSUANT TO THE PRESENT SECTION.

INTERPRETATION AND APPLICATION OF THE AGREEMENT AND SETTLEMENT
OF DISPUTES

SECTION 22. AT THE REQUEST OF EITHER THE GOVERNMENT OF THE AR-
GENTINE REPUBLIC OR THE AGENCY THERE SHALL BE CONSULTATIONS
ABOUT ANY QUESTION ARISING OUT OF THE INTERPRETATION OR
APPLICATION OF THIS AGREEMENT.

SECTION 23. (A) THE GOVERNMENT OF THE ARGENTINE REPUBLIC AND
THE AGENCY SHALL ENDEAVOUR TO SETTLE BY NEGOTIATION ANY DISPUTE
ARISING FROM THE INTERPRETATION OR APPLICATION OF THIS AGREEMENT.
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(B) ANY DISPUTE ARISING OUT OF THE INTERPRETATION OR APPLIC-
ATION OF THIS AGREEMENT WHICH IS NOT SETTLED BY NEGOTIA-
TION OR AS MAY OTHERWISE BE AGREED TO BY THE GOVERNMENT OF

THE ARGENTINE REPUBLIC AND THE AGENCY SHALL ON THE REQUEST OF EITHER THE GOVERNMENT OF THE ARGENTINE REPUBLIC OR THE AGENCY BE SUBMITTED TO AN ARBITRAL TRIBUNAL COMPOSED AS FOLLOWS: THE GOVERNMENT OF THE ARGENTINE REPUBLIC AND THE AGENCY SHALL EACH DESIGNATE ONE ARBITRATOR AND THE TWO ARBITRATORS SO DESIGNATED SHALL ELECT A THIRD, WHO SHALL BE THE CHAIRMAN. IF WITHIN THIRTY DAYS OF THE REQUEST FOR ARBITRATION EITHER THE GOVERNMENT OF THE ARGENTINE REPUBLIC OR THE AGENCY HAS NOT DESIGNATED AN ARBITRATOR, THE GOVERNMENT OF THE ARGENTINE REPUBLIC OR THE AGENCY MAY REQUEST THE PRESIDENT OF THE INTERNATIONAL COURT OF JUSTICE TO APPOINT AN ARBITRATOR. THE SAME PROCEDURE SHALL APPLY IF WITHIN THIRTY DAYS OF THE DESIGNATION OR APPOINTMENT OF THE SECOND ARBITRATOR, THE THIRD ARBITRATOR HAS NOT BEEN ELECTED; (C) A MAJORITY OF THE MEMBERS OF THE ARBITRAL TRIBUNAL SHALL CONSTITUTE A QUORUM, AND ALL DECISIONS SHALL REQUIRE THE CONCURRENCE OF AT LEAST A MAJORITY. THE ARBITRAL PROCEDURE SHALL BE FIXED BY THE TRIBUNAL. THE DECISIONS OF THE TRIBUNAL, INCLUDING ALL RULINGS CONCERNING ITS CONSTITUTION, PROCEDURE, JURISDICTION AND THE DIVISION OF THE EXPENSES OF ARBITRATION BETWEEN THE GOVERNMENT OF THE ARGENTINE REPUBLIC AND THE AGENCY, SHALL BE BINDING ON THE GOVERNMENT ARGENTINE REPUBLIC AND THE AGENCY. THE REMUNERATION OF THE ARBITRATORS SHALL BE DETERMINED ON THE SAME BASIS AS THAT FOR AD HOC JUDGES OF THE INTERNATIONAL COURT OF JUSTICE. SECTION 24. DECISIONS OF THE BOARD CONCERNING THE IMPLEMENTATION OF THIS AGREEMENT, EXCEPT SUCH AS RELATE ONLY TO SECTIONS 19 AND 20 SHALL, IF THEY SO PROVIDE, BE GIVEN EFFECT IMMEDIATELY BY THE GOVERNMENT OF THE ARGENTINE REPUBLIC AND THE AGENCY, PENDING THE FINAL SETTLEMENT OF ANY DISPUTE.

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FM AMEMBASSY VIENNA

TO SECSTATE WASHDC IMMEDIATE 2038

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AMEMBASSY OTTAWA
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FINAL CLAUSES

SECTION 25. THE GOVERNMENT OF THE ARGENTINE REPUBLIC AND THE AGENCY SHALL , AT THE REQUEST OF EITHER OF THEM, CONSULT ABOUT AMENDING THIS AGREEMENT. IF THE BOARD MODIFIES THE SAFEGUARDS DOCUMENT OR THE SCOPE OF THE SAFEGUARDS SYSTEM, THIS AGREEMENT SHALL BE AMENDED IF THE ARGENTINE GOVERNMENT OF THE REPUBLIC SO REQUESTS TO TAKE ACCOUNT OF SUCH MODIFICATIONS. IF THE

BOARD MODIFIES THE INSPECTORS DOCUMENT, THIS AGREEMENT SHALL BE AMENDED IF THE GOVERNMENT OF THE ARGENTINE REPUBLIC SO REQUESTS, TO TAKE ACCOUNT OF SUCH MODIFICATIONS.

SECTION 26. THIS AGREEMENT SHALL ENTER INTO FORCE UPON SUGNATURE BY OR FOR THE DIRECTOR GENERAL OF THE AGENCY AND BY THE AUTHORIZED REPRESENTATIVE OF THE GOVERNMENT OF THE ARGENTINE
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REPUBLIC.

SECTION 27. THIS AGREEMENT SHALL REAMIN IN FORCE UNTIL SAFEGUARDS HAVE BEEN TERMINATED, IN ACCORDANCE WITH ITS PROVISIONS, ON ALL NUCLEAR MATERIAL, SUBSEQUENT GENERATIONS OF PRODUCED SPECIAL FISSIONALBE MATERIAL, SUBJECT TO SAFEGUARDS UNDER THIS AGREEMENT AND ALL OTHER ITEMS REFERRED TO IN SECTION 2 UNTI THE LIST REFERRED TO IN

SECTION 6 NO LONGER CONTAINS ANY DESCRIPTION OF INFORMATION, OR AS MAY

BE OTHERWISE AGREED BETWEEN THE AGENCY AND THE GOVERNMENT OF THE ARGENTINE REPUBLIC. UNQUOTE. LABOWITZ

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Message Attributes

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Subject: IAEA BOARD OF GOVERNORS--REQUEST FOR INSTRUCTIONS-- AGENDA ITEM 9(B)
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